

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GRANT HEILMAN PHOTOGRAPHY, INC.	:	CIVIL ACTION
	:	
Plaintiff,	:	
v.	:	
	:	
THE MCGRAW-HILL COMPANIES, INC., and	:	NO. 12-2061
JOHN DOES PRINTERS 1-10,	:	
	:	
Defendants	:	

ORDER RE: BIFURCATION AND DISCOVERY

AND NOW, this 7th day of May, 2013, following review of the parties' briefs and the oral argument on April 30, 2013, the Court will **GRANT** in part Defendant's Motion to Bifurcate (ECF No. 29) for the reasons set forth in the foregoing memorandum. As discussed in the memorandum, the separate trial will include some of Plaintiff's infringement claims for which Defendant has no statute of limitations defense. In preparation for this separate trial, it is **ORDERED** as follows:

1. Within seven (7) days, Plaintiff will select twenty-four (24) invoices on which to proceed for discovery, and Defendant will select six (6) invoices on which to proceed for discovery. The discovery may include all issues including intent and damages.
2. The parties, having previously served written discovery, will make an additional production of documents within thirty (30) days, and complete production of documents as soon as reasonably feasible.
3. Depositions of fact witnesses will be completed by July 30, 2013.
4. Plaintiff will serve its expert reports by August 15, 2013, and Defendant will respond by September 15, 2013.
5. Dispositive motions shall be filed by September 30, 2013.

6. Trial pool date is November 15, 2013.

If dispositive motions are filed, the Court will attempt to expedite decision and, assuming claims remain for trial, the Court will convene a final pretrial conference to determine the scope of the trial and a trial date. As the Court noted at the hearing on April 30, 2013, its rulings on discovery do not necessarily dictate the exact nature or scope of the bifurcated trial.

BY THE COURT:

/s/ Michael M. Baylson

Michael M. Baylson, U.S.D.J.